

F685  
. W249



S P E E C H

OF

GENERAL AARON WARD,

OF

WESTCHESTER COUNTY, NEW YORK,

AT A

DEMOCRATIC MEETING

HELD AT NEW ROCHELLE,

MARCH 27, 1858,

AT WHICH

RICHARD LATHERS, ESQ., PRESIDED.

---

New York:

PRINTED BY J. W. BELL, DAILY NEWS JOB OFFICE,

NO. 38 ANN-STREET.

1858.

Felt  
M249

# SPEECH OF GEN. AARON WARD,

OF

Westchester County, New York.

At a Democratic Meeting held at New Rochelle, March 27th, 1858, in favor of the admission of Kansas under the Lecompton Constitution, at which RICHARD LATHERS, Esq., presided.

The Chairman, after concluding an interesting address, introduced to the meeting their fellow-citizen, General AARON WARD, of Westchester County, who was received with much warmth by the meeting. On rising to respond to the call, the general returned his thanks for their kind reception of him, and remarked that the committee appointed by this meeting had called in person upon him at his residence, that morning, and urged him to attend the meeting of the National Democratic party, which call was signed by a large number of your principal citizens, who were in favor of the immediate admission of Kansas under the Lecompton constitution, and he felt it to be his duty to comply with their request; but he disclaimed any intention on his part, to interfere with their local nominations, but would confine himself to the great question which was now agitating the public mind.

We have assembled, said GEN. WARD, on this occasion, to deliberate on public matters, at an important crisis in our national affairs. The present Republican party has long been accustomed, at stated periods, to create, through the public press and otherwise, an excitement in the public mind, with a view of furthering their political ends, and that party is now engaged in stirring one up on the Kansas question, and our democratic friends in every section of the country should be admonished to be vigilant. Meetings of this character, in a Republic, where all power emanates from the people, can do no harm, but may be productive of much good.

We have great reason to be thankful that we have at our head a Chief Magistrate who is every way fitted for the crisis. He is firm as the rock on the sea shore, at whose base the billows dash and roar in vain, and around whose front the gathering tempest bursts without injury.

His late message on the all absorbing Kansas question is one of the most able state papers of the present day, and will compare favorably with any similar document that has ever emanated from the Executive chair of this nation. (Applause.) His large experience as a statesman in the halls of Congress—both as a member of the House of Representatives and of the Senate of the United States—during the most trying period of our history, under the administration of General Jackson, which he sustained with consummate ability, as also as Minister Plenipotentiary at the Court of St. Petersburg, as Secretary of State under the administration of President Polk, and finally as Minister at the Court of St. James, have eminently qualified him to discharge the high and important trust reposed in him by the democracy of the country; and his inflexible firmness gives assurance to the true friends of our country that we have nothing to apprehend in regard to the safety of the ship of State while such a pilot is at the helm. He entered upon the duties of his high station with a full determination not to allow his name to be used as a candidate for re-election. He still, as I understand, adheres to that determination. He is not, therefore, influenced in the discharge of his responsible and important duties in the slightest degree by personal or selfish considerations. But having received the reins of government from the people, he is resolved to yield them again, at the close of his present term, unimpaired. Our political opponents and their anti-allies who are now carrying on an unrighteous war against him, must be careful that in their zeal to carry their point, by their unparalleled violence and abuse against a faithful patriot and a devoted friend to his country, they do not force the people to insist upon his giving up his own opinion and yielding to their wishes to run again for a second term. (Cheers.)

Our country, fellow-citizens, under democratic rule, has prospered beyond all former example of human greatness ; within a period of less than three quarters of a century, it has arisen from a state of penury and want to its present high and exalted station, ranking at this time among the most powerful nations on the earth. Its population in the beginning was less than three millions, but it now numbers upwards of thirty millions of free men. Its sea coast on the Atlantic and Pacific Oceans, is far greater in extent than that of any other nation on earth, and above all, its commerce is pouring the wealth of the world into our lap, and thereby enriching our people. And, I think, I can say, that our people are now, through the kind interposition of Divine Providence, every where prosperous and happy. The blight in our financial affairs, which prostrated some of the best spirits in our land, will, I trust, soon pass away, and our country will be restored once more to the condition acquired under democratic sway. (Applause.)

I have listened, fellow-citizens, to the reading of the resolutions presented by your committee in support of our distinguished Chief Magistrate, James Buchanan, and I take great pleasure in stating that I am cordially with you in the views your committee have taken in support of the measures of his administration. We have long stood side by side laboring together, in support of democratic principles, and that too, at a much darker period than the present, and while my life is spared, I will never desert you, and you, my friends, will do me the justice to say that I do not belong to that class of our citizens whom our opponents have designated as *office holders*—and as being the only supporters of the administration. That charge is not only untrue in respect to myself, but it is not true as regards the large assembly of democrats who have come here to-day to stand firmly by the administration ; and with respect to myself, I can say with truth, that I have never received a dollar from the Treasury of the United States, for any purpose whatever, with the exception of the pay I received for my serving as an officer in the army of the United States, while in actual service, and for the pay I received for twelve years, as a member of Congress, (Ap-

plause.) And, for that last honor, I am entirely indebted to you, my fellow-citizens, of this congressional district. You stood by me during that long period through good and evil report ; and I take occasion to say, that I fully appreciate the high favor you thus conferred upon me, and I will strive to return the obligation, so far as lies in my power, by continuing to sustain those principles which carried us safely through that bitter war declared by our opponents against the illustrious Jackson, while I had a seat in Congress, by the Bank of the United States and its supporters : the recharter of which he had the firmness to veto, notwithstanding the threatened violence of our opponents ; and with the aid of the people he triumphed over his foes, as will our present Chief Magistrate on the present occasion. (Applause.)

We have heard enough, fellow-citizens, of bleeding Kansas. It is high time that the public mind should have some repose. We have matters of much more importance at home that demand our attention ; but I think it is manifest from what we can hear and see around and about us, that our political opponents and their new adherents are desirous of keeping it alive, in order to bring it into the next presidential contest. I fear it is with that view that they are now opposed to the admission of Kansas, as a sovereign state, into the Union, under the Lecompton constitution ; for they know full well that the moment it is admitted they will no longer have a subject which will enable them to keep up the slavery and sectional agitation. They are well informed on this subject, and they know that as the Topeka party have the majority in that territory in the proportion numerically, as they say themselves, of three Topeka men to one democrat, that the peaceable people of the territory can and will, in spite of their violent and turbulent rulers, soon after its admission as a state, frame a new constitution, either with or without slavery, as they may choose, which will effectually put a stop to any further agitation on that exciting subject. (Applause.) It seems to me that all who will examine this matter with candor can not fail to come to the conclusion that the present contest is, as I have stated, purely a political contest for the presidency. Presidential candidates are springing up daily in every

section of our country. But, in my opinion, it is now altogether too early to commence the political campaign for 1860; and when the time for another presidential contest shall draw near, the weapons now used against the present Chief Magistrate will be out of date; and in the ranks of our opponents there may, and, I think, there will be, such changes as to render their use more dangerous to those who wield them than to those against whom they are now directed. (Applause.)

The sensation which our political assailants are endeavoring to create in the public mind by declaring that, if Kansas is admitted into the Union under the Lecompton constitution, it will involve the people of that territory in domestic strife, and thereby ruin our country, and other threatening language of like import, which is now daily disseminated throughout the country in every direction, will fail to create any alarm in your minds, fellow-citizens, or in withdrawing any of our democratic friends from their allegiance to their party. It is well known that it is not their first attempt to alarm and influence the public mind against democratic measures. If you look back into the pages of our early history, you will find that in 1803, when that extensive and invaluable territory, Louisiana, was ceded to our government by France, by treaty stipulations entered into on the 30th of April, of that year, our political opponents then predicted that if that territory should be admitted into the Union, by Congress, with its slave population, our country would be ruined. But that measure was earnestly recommended to the consideration of Congress by that great democratic leader, Thomas Jefferson, then President of the United States; and on the 30th of October, of that year, Congress passed an act to enable the President to take possession of it, and at the same time provided for a temporary Government; which act was approved by the President, notwithstanding the bitter and violent opposition of our opponents. (Great Applause.)

And I would now ask, and I ask it emphatically, whether there is a single truth-hearted whole-souled American to be found, who will not say that it was one of the wisest measures

ever adopted by our government for the advancement and prosperity of our whole country in its onward march?

Would she not have been involved in a war before this, for the acquisition of that territory, in order to give to the North Western States the free navigation of the Mississippi and its tributaries for its immense and growing commerce, if it had not been acquired by purchase and cession? There is no other answer, it seems to me, but an affirmative one, to be given to that question.

It will, doubtless, be recollected by all whom I have the honor to address, that our political enemies also denounced, in no unmeasured terms, and with equal violence, the proposition to annex Florida to our country on account of the slavery question, and they then predicted the breaking up of the Union on the happening of such an event; yet our then chivalric and distinguished Chief Magistrate, James Madison, by whose wisdom and foresight we were triumphantly carried through the war of 1812, disregarding all such threats, fearlessly sent his message to Congress, recommending its admission, and on the 3d of March, 1819, an act was passed by Congress, authorizing the President to take possession of East and West Florida, under the treaty of cession, and also establishing a temporary government therein; and we have great reason to return thanks to an All Wise and Merciful Providence for having preserved our people from so great a calamity as that predicted by our political foes. (Applause.)

And again, fellow-citizens, who has forgotten, or who can ever forget, the overwhelming defeat and overthrow of thousands upon thousands of our democratic friends, who raised their voices against the annexation of Texas in 1845, on account of the old worn-out and thread-bare slavery question, and who left the democratic party upon Texas being admitted into the Union as a sovereign state a state which now forms the fairest portion of our Union. It seems to me that these and other defections from the democratic party, which might be named, can be urged as reasons to deter our friends of the present day from turning their backs upon that

party which made them all that they are politically, and all that they ever will be. (Applause.)

Our political opponents being in no way discouraged in their endeavor to break down the Democratic party, notwithstanding their repeated and signal defeats, finally conceived the idea of changing their mode of attack, whereupon they commenced the organization of a sectional party, by striving to unite the north against the south, and this too at the very moment when our country was involved in a war with Mexico, and when our small army, not exceeding 4,000 men in all, then in the heart of that country, under the command of the gallant and chivalric Zachary Taylor, were in want of re-inforcements and of munitions of war of every description, and were threatened with an attack at the same time by an army of upwards of 20,000 disciplined troops, under the command of Santa Anna, then rapidly advancing by forced marches against them: and while the bill making provision for additional forces, which was intended for their relief, was pending in Congress, instead of pressing its immediate passage, they threw every obstacle in its way in order to postpone action thereon, and thereby embarrass the government in its military operations. With that view they offered that memorable amendment, called the Wilmot Proviso, to the bill appropriating three millions of dollars to enable the President to conclude peace with the Republic of Mexico, which reads thus, "and be it further enacted, that there shall be neither slavery nor involuntary servitude in any territory on the Continent of America which shall hereafter be acquired by, or annexed to, the United States, except for crimes whereof the party shall have been duly convicted: Provided always that any person escaping into such territory from whence labor or service is lawfully claimed in any one of the United States, such fugitive may be lawfully reclaimed and conveyed out of said territory to the person claiming his or her services."

The object of this amendment was to exclude our southern brethren, whose sons were then engaged in fighting, side by side, with those of our citizens from other sections, the battles of our country, from participating equally in the en-

joyment of such territory as might be acquired by conquest or otherwise from Mexico. The discussion of this question, at that time, was of an exceedingly exciting character, and well calculated to engender a sectional feeling. And what is more startling, it was still going on in both branches of Congress, the Senate and House of Representatives, when the glorious news of the defeat of the Mexicans at the battle of Buena Vista on the 22d Feb., 1847, was disseminated throughout the country, thereby relieving the minds of our patriotic citizens from the deep gloom and despondency which had penetrated their breasts by reason of the long delay of Congress in extending relief to our chivalric little army. (Cheers.)

This great and glorious victory was soon followed by others no less important, achieved by the army under the illustrious commander Lieutenant General Scott, thereby adding to our national fame, both at home and abroad, and forcing the enemy to conclude an honorable peace, which I trust will be a lasting one between the two Republics. (Applause.)

By this treaty, which was concluded on the 2d Feb., 1848, at Guadalupe, New Mexico and California were added to our country, which may justly be claimed as having been acquired through the foresight and wisdom of the Democratic party, in opposition to, and against the wishes of our political opponents, thereby adding to our country one of its most valuable portions, and particularly that of California, which is appropriately called the "Golden Region," and which has, within the few years that have elapsed since its cession, added more to the wealth and power of our whole country than that of any other portion of it. And I beg to impress upon your minds, fellow citizens, that our present Chief Magistrate, James Buchanan, whose judgment and sagacity on the Kansas question has been so wantonly and bitterly assailed by our indefatigable opponents, was the Secretary of State and confidential adviser of President Polk, during the war with Mexico, which has led to such brilliant results, and which should assure us that as we have profited by his advice in this and other important national questions relating to our foreign and domestic concerns,



there is no reason why we should lose confidence in him at this time. (Great Applause.)

The question of the admission of California into the Union as a state, and that of providing for territorial governments in New Mexico, had engendered, by reason of the continued discussion of the Wilmot proviso, in connection therewith, a very bad state of feeling. The excitement in the public mind had become painfully intense, to allay which and to calm the troubled waters, our illustrious statesmen, Clay and Webster, now no more, with Cass and other patriotic statesmen, cordially united in their endeavour and happily succeeded in effecting the memorable compromise of 1850, which embraced the following acts, first "the admission of California as a free and sovereign state in the Union;" secondly, "the establishment of territorial governments for Utah and New Mexico, without the Wilmot proviso;" thirdly, "the establishment of the western boundary of Texas, and the exclusion from her territory of all New Mexico, with a great part of Texas for a pecuniary equivalent;" fourthly, "to amend, and supplementary to the act entitled, "an act respecting fugitive slaves from justice, and persons escaping from the service of their master;" and fifthly, "an act to suppress the slave trade in the district of Columbia."

The acts organizing territorial governments for Utah and New Mexico, contained the following important provision, *i.e.* "that when admitted as states into the Union, the said territories or any portion of them shall be received into the Union with or without slavery, as the constitution may prescribe at the time of the admission. This provision established the doctrine of non-intervention, and I did hope that it had settled finally and forever, that vexed question. (Applause.)

The act to suppress the slave trade in the District of Columbia, declares, "that it shall not be lawful to bring into the District of Columbia any slave whatever, for the purpose of being sold, or for the purpose of being placed in depot to be subsequently transferred to any other state or place, to be sold as merchandise; and if any slave shall be brought into the said district by

its owner, or by the authority or consent of its owner, contrary to the provisions of this act, such slave shall therefrom become liberated and free." Prior to the passage of this act, slave dealers had been in the practice of bringing their slaves into the District of Columbia, which is the common property of the people of the whole Union, and offering them for sale at public auction, to the great annoyance of many of our citizens, from non-slave holding states, whose business call them often to the seat of government. The passage of this bill with the other compromise measures, was hailed with joy throughout the country, and hopes were entertained that our political opponents would not have the temerity after so solemn an adjustment of these measures to renew the agitation of the slavery question again, and more especially, since the south had cheerfully yielded their assent thereto. (Applause.)

The act of 1854, establishing territorial governments for Nebraska and Kansas, embraced the non-intervention clause, identical in every respect with the one contained in the act establishing a territorial government for New Mexico, to which I have already called your attention, with the following additional clause, *viz*: "That the constitution and all the laws of the United States, which are not locally inapplicable, shall have the same force and effect within the said territories of Nebraska and Kansas as elsewhere, within the United States, except the 8th section of the act preparatory to the admission of Missouri into the Union, approved March 6th, 1820, which being inconsistent with the principles of non-intervention by Congress with slavery in the states and territories, as recognized by the legislature of 1850, commonly called the compromise measure, is hereby declared *inoperative and void*, it being the true intent and meaning of this act not to legislate slavery into any territory or state, nor to exclude it therefrom, but to leave the people thereof perfectly free to *form* and *regulate* their domestic institutions in their own way, subject only to the constitution of the United States.

Upon the passage of this act the discussion on the Slavery question was renewed by our political opponents in the halls of Congress, in State

legislatures, and upon the stump in every section of our wide spread country, and was continued through the late presidential election. Their greatest cry was against the repeal of an unconstitutional law, and against the Supreme Court, for having declared it to be so in the Dred Scott case, and the people are now daily called upon by their orators to disregard it as any authority, thereby trampling upon the decision of the highest tribunal in our land. And yet, fellow-citizens, it is, I doubt not, within your recollection, and all who are familiar with the history of the times, that the South offered the Olive branch to the North by asking the extension of the Missouri line through to the Pacific, which just and reasonable proposition was rejected by our foes with disdain, for the reason, no doubt, that the greater part of New Mexico lies south of 36 deg. 30 min., and therefore quite as likely to become a free as a slave state, and much more so than that a slave state will hereafter be organized north of that line, for the laws of nature, in respect to climate and the productions of the soil have a much greater influence upon the question in regard to free or slave labor, than any law which human wisdom can devise; and when slave labor shall be found to be unprofitable in any or either of the states of this Union, the legislature of such state or states will, of their own free will, pass laws manumitting their slaves; but it does not follow it can ever be brought about by threats of violence by the abolitionists, for states are like individuals in that respect, open to conviction by sound and logical arguments, showing the justice of a measure, and when convinced, will yield their opinion to others, but will never be driven to adopt a measure, however just it may be, by force of arms. (Great Applause.)

You have, no doubt, observed, fellow-citizens, that many of the questions which were fully and thoroughly discussed during the last presidential canvass, in this state and elsewhere, are reproduced on the present occasion; I refer particularly to the application for admission of Kansas as a state under the Topeka constitution, and its rejection by Congress; to the repeal of the Missouri compromise and the decision of the Supreme Court, in the Dred Scott case, declaring it an unconstitutional act, and to

the non-intervention doctrine which formed a prominent part in the Cincinnati platform, that is to say, that the people of the territories shall exercise control of their domestic relations, all of these questions, fellow-citizens, were clearly and fairly presented to the consideration of the electors at that time, and confirmed by their votes, thereby sustaining the application of democratic principles in respect to the organization of new territories, and the admission of new states, with or without slavery, as the people may direct.

The question in respect to the admission of Kansas as a sovereign state into the Union under the Lecompton constitution is now engrossing the attention of Congress almost to the exclusion of all other business; and it is alleged that the greater part of our political opponents who now oppose its admission, are also opposed to the admission of any other slave state in the Union. Some of the members in Congress, it is true, have in so many words declared that they will not vote for the admission of a slave state north of 36 30, notwithstanding the compromise measures of 1850 and the act of 1854. There are some few abolition members who have taken the bold ground that they are opposed to the admission of any other slave state; but, thank heaven, their numbers are very limited, and they do not deserve any consideration whatever. But, fellow-citizens, I entertain no doubt that a large majority of the Democratic party, as well as a majority of the national Know Nothing party, will adhere religiously to it, for that doctrine is designed to promote the harmony of the Union, by removing from the federal councils the dangerous agitation of the slavery question, and also of relieving the people of the slaveholding states from the arbitrary power of hostile majorities, and it was upon that doctrine that the political contest of 1856 was fought and gallantly won. (Applause.) The admission of Kansas at this time is generally to be desired, because it is calculated to restore peace and harmony to the people of the country generally, and quiet and prosperity and good feeling to Kansas. The constitution framed at Lecompton was the result of a regular and legal exercise of power in every respect, and as such is valid and binding, and should be so regarded

by Congress. That defects and errors—if any exist—can and will be removed by the people of Kansas, in their sovereign state capacity, after its admission into the Union. Frauds may be, and doubtless were committed on both sides; but it is particularly the province of their legislature, when in Senate and Assembly convened to settle all election frauds. No other power, according to parliamentary usage, can interfere therewith. Congress possesses no power. The constitution of the United States, and the respective states, including the Leecompton constitution; each contain a provision on that subject to this effect—that is to say: “That each house shall be the judge of the election returns and qualifications of its own members,” in such cases. And as popular sovereignty is the great question of popular rights, when the state is admitted, then its people will be enabled to exercise those rights to their greatest extent, and surely as the Topeka party claim to have so large a majority they will have no difficulty, if their statement in that respect is true, in arranging matters to suit themselves. Let Congress, therefore, adopt the wise and discreet policy of the administration in respect to this question, and we will be at once relieved from all further trouble in relation to this whole matter. (Applause.)

But it is said by our opponents that Kansas ought not to be admitted as a state, because there was no act of Congress authorizing the people of that Territory to convene a convention for the purpose of forming a constitution, and because a majority of the people did not vote in favor of it at the election on the 21st December last. Now, I would ask, can they consistently raise such an objection to its admission, when it is well known that they voted for the admission of Kansas as a State under the Topeka constitution, which received but 1700 votes, all told, in its favor, and when it is also well known that there was no act of Congress or of their territorial legislature, which authorized the people to convene a convention to frame that constitution. It was not, therefore, for that reason an organic act according to the prescribed formulas of law; it was, in fact, partisan; it was illegal; it was disorganizing; it was revolutionary and tyrannical, as much so

as was the celebrated constitution framed by Dorr and his followers in Rhode Island, in 1843, called the suffrage party; that constitution was the result altogether of a partisan and revolutionary movement; the convention which framed it convened without the authority of an act of the legislature of that state; and Dorr, on undertaking to assume the reins of government as the Governor elect, under it, was indicted for treason, and was tried, found guilty, and sentenced to the State Prison for life.

I will not undertake to reconcile the inconsistent course of our political opponents for having voted for the Topeka constitution, and for now opposing the Leecompton constitution, nor for the support of Topeka and their opposition to the Dorr constitution; political considerations alone, doubtless governed them then as now, nor have I any reproaches to cast against them therefor, for every individual has, in this free land, an inalienable right to enjoy his own political sentiments in his own way. But I will say, under these circumstances, that their objection to the Leecompton convention, which was legally convened under the act of the territorial legislature, and was fairly submitted to a vote of the people, is not patriotic nor does it show a disposition on their part to settle this unpleasant controversy in peace. (Applause.)

In looking carefully into all the proceedings had in that territory subsequently to the rejection of the Topeka constitution by Congress, and the rejection of the bill which had passed the Senate, authorizing the people of that territory to convene a convention to frame a constitution which was rejected by the votes of our political opponents at the same session, and immediately thereafter, they having a large majority in the House, it will be seen that if they had allowed it to pass at that time, all the difficulties would have been ended; but as it was rejected by them, doubtless, to subserve their political ends, nothing was left for the peaceable citizens of that territory but to elect a new territorial legislature and to pass a law calling a convention, which was done; and had the Topeka men, instead of adhering to their constitution and their revolutionary government, gone to the polls, as they ought to have done, and voted for the members

of the territorial legislature, they would have carried the legislature in their favor, if their numerical strength in the territory, is as they have represented it to be, and all the power would then have been in their hands; but as they refused altogether to vote, for the reasons stated, the fault was their own, and they have no cause to reproach any class of people, nor have they a right to call upon Congress to correct their own error.

The legislature, thus elected, assembled and passed a law providing for taking the sense of the people at the October election in 1856, upon the expediency of calling a convention to frame a state constitution. The Topeka men ought then, if they had been opposed to that convention, to have cast their votes against it, but they still obstinately refused so to do, and as the majority of the people voted in favor of the convention, the legislature on the 19th February, 1857, in pursuance of the popular will thus expressed, passed a law providing for an election to be held on the 15th June, 1857, of delegates to said convention. And I maintain that they have not offered a satisfactory reason for not voting on that occasion for those delegates, and having refused so to do, they have no right to complain or to present their supposed grievances to Congress and ask that body to delay doing justice to the peaceable people of that territory. (Applause.) That convention formed a constitution at Leecompton and authorized election to be held and the sense of the people taken on the all absorbing question of slavery, and I avow that it was the duty of the Topeka people then to have cast their votes against the slavery clause, for it was in their power, if they had a majority, to have stricken out the clause in respect to slavery. This election was held on the 21st December, 1857, but having again, by the delegate from the territory, submitted the Topeka constitution at the present session, as I am informed, asking Congress to admit Kansas as a state under that constitution, thereby still adhering to it; they refused to participate in the election, and the constitution was ratified by the people by a vote with slavery of 6,226, against a vote without slavery of 569; making an aggregate vote of 6795, and an aggregate majority of 5656 for the constitution, as now pre-

sented to Congress. It seems to me, fellow-citizens, that the Topeka men, these revolutionists, have no right to ask a delay of the admission of Kansas as a sovereign state, since it is their own fault altogether, by their having refused with so much pertinacity to vote at either of the elections I have named, which if they had done, they would have had the territory, the legislature, the convention, and all in their own hands, if this statement in regard to their number had been true. (Applause.)

Our adversaries have brought into this discussion the frauds which they allege were committed by neglecting to take the census in certain counties, whereby the electors, residing within their limits, were precluded from exercising the elective franchise.—Is this not a most remarkable objection to be urged, for the very men who urge it, did, by general agreement among themselves, at public meetings and otherwise, determine to withhold their votes altogether, and to stand by the Topeka constitution, and they totally refused, in every section of the territory, to participate in any of the elections held in the territory, either for members of the territorial assembly, or members of the convention, or for or against the ratification of the Leecompton constitution. Has not Congress more important matters which demand attention, than to stop all legislation, of a public or private character, to inquire into questions of this nature which belong more properly to the people within the territory. But as to the truth of their statements in respect to these alleged frauds, I would remark that the fact has been clearly established beyond a possibility of a doubt, that the officers who were entrusted with the performance of this duty, were threatened with death by the revolutionary spirits, if they undertook to take the census, and they were obliged to leave in consequence of the threats, or their lives would, in all probability, have been taken. And in certain other cases where free soil men were chosen, they refused totally to perform that duty. Of the 19 counties spoken of as not represented, the census was not taken in four of these for the reason stated, the other 15 were for civil purposes attached to other organized counties, and the citizens had thereby an opportunity to vote

in those counties, if it had been their pleasure to do so, but which they absolutely refused to do.

Is it necessary, fellow citizens, to detain you longer on this point, and is it not absurd that this should be urged as a grave question, when they allege that they have so large a majority, and yet not vote. In a republican form of government all agree to be ruled by the decision of the ballot box. The constitution under which we live is a vested contract that the voters shall control. It matters not whether few or many vote; the law is equally binding. These who withhold their votes have agreed to be governed by those who do vote.—Such we know to be the doctrine here, and such it is every where, and its soundness has never before been questioned.

The objection which has been urged that the constitution cannot be amended until after 1864, owing to a provision of that character contained therein, is without any weight and deserves no further remark from me to citizens of our own district, who know that the constitution of our State, adopted in 1821, contained a provision in respect to the future amendments far more stringent than the one contained in this, and yet the Legislature, by a majority vote, submitted to the people of the State the question respecting convening a convention for amending the same, and in 1846 the new Constitution was framed, under which we now live, and I had the honor of serving at that time as a member of the convention. The same remarks will apply to the proceedings held in the State of New Jersey and Pennsylvania; those states having adopted new constitutions contrary to the provisions of their old constitutions, similar in many respects to the provisions contained in the Lecompton constitution, and that by a bare majority vote. There cannot be a shadow of doubt, therefore, but that the people of Kansas can, upon their admission into the Union, call a new constitution by a majority vote, and amend or frame an entire new constitution; the cases cited are alike upon questions of power, and the one is solved by the decision of the other.

It has been further urged by our hostile opponents, which argument they say is insurmountable, and that the constitution, as a whole—

was not submitted to the *people* for their ratification. If this were the first time that the question had been brought to the consideration of our people there might be some weight in it, but I maintain that, until within a few years past, the adoption of a constitution was never submitted to a direct vote of the people.—Such was the case with respect to the Constitution of the United States. It was framed in 1787, in Philadelphia by a convention of delegates from each of the States in the Union, and afterwards ratified by conventions held in each of the States, and was never submitted to a vote of the people for their approval; such was the case in all of the original states of the Union, excepting only the State of Massachusetts. The State of Pennsylvania has amended its constitution several times, and the people of that state are now living under one so formed, and such is the case with other states which might be named, but there is no necessity of multiplying precedent upon this point. I have already shown enough to prove that this objection to the admission of Kansas deserves no consideration whatever, while it was not necessary, as we have seen, that the constitution should have been submitted to the people of Kansas for their ratification; yet the all-absorbing question whether slavery should be admitted or excluded was submitted to a direct vote of the people of the territory as I have already stated, and carried by a very large majority, the Topeka party, I regret to say, still pertinaciously refusing to vote upon that important question. The vote which was taken in January, 1858, thereon, was without legal effect and wholly irrelevant and void. Mr. Buckelew, in his report on this question to the Pennsylvania Legislature, on the 24th December last, makes use of this strong language on that subject, “No Legislature in the country ever assumed jurisdiction over the formation or ratification of a constitution, except upon an express delegation of power for that purpose, and the assumption of such power by a representative body in the absence of express grant, must be of necessity an usurpation and its acts relating thereto wholly void.

The Lecompton constitution, gentlemen, was adopted in the regular usual way. It is republican in its form; and the number of the inhabitants within the limits of the Territory is suffi-

cient to justify an independent state organization. These prerequisites are all the constitution of the United States requires to be shown upon an application for the admission of a state. It is not, therefore, now necessary to inquire into the number of votes polled in favor of that constitution, nor into the whole number of voters within the territory. Still it may not be inappropriate to state that the aggregate number of voters registered, in pursuance of an act of the territorial legislature before the election, as appears by the official return, were nine thousand two hundred and fifty-one. Now, if there were three thousand more voters residing in the districts where the Topekites prevented, with force and arms, the taking of the census, it will increase the aggregate vote to 12,250. This estimate can not be far from the truth, because at no time prior to the 21st of December last, had there ever been polled over 12,000 therein; hence it will appear that the 6,226 polled for the constitution is in fact a majority of the whole number of voters residing in the territory. The votes polled on the 4th of January, as I have already stated, being irregular and void, have nothing to do with the present question. Besides, as the Topekaites have exhibited so great a thirst for the blood of all who stand in their way, it is very clear that they have no scruples of conscience against making false returns to answer their purposes. If Kansas is admitted as a state, it must be conceded that it can not, nor will not, add a single additional slave to the present number in the Union. Such increase can not take place until the slave trade is re-opened. England and France may change their policy in that respect if they choose. The latter nation has, it is true, given some indication of doing so, but I have no fear that the slave trade will ever be re-opened in the United States, which is now prohibited by the constitution, and there is no probability that it will ever be amended so as to allow the happening of such an event. And if we were now entirely certain that the citizens of Kansas would not, on her admission as a state, strike out the slavery clause, it would afford no good reason for rejecting the bill at this time, for the good faith of the nation is solemnly pledged to admit any state, either with or without slavery; and, although this pledge has been but recently renewed, yet let it be recollected

that our ancestors, who achieved through fire and blood, and transmitted to us this fair heritage, were themselves slaveholders and slave importers, and they did at an early period extend their hands to their southern brethren, and pledged to them their sacred honor that they should never be disturbed in the enjoyment of their domestic institutions; and I would ask, can we assume to ourselves that we are more patriotic, more virtuous, or more enlightened than were that band of heroes and sages, and that for that reason we can trample upon their pledge thus made? I for one am not willing to condemn them for that just and righteous act. It is enough for us, fellow-citizens, to know that under Democratic rule we have now sixteen free states, where none existed before, and that this number will soon be increased to nineteen, for Minnesota, Oregon, and Washington territories are now knocking at the door for admission. All of this has been accomplished quietly and peaceably. No objection has been made to it from any quarter. But the moment an application for the admission of a slave state is presented, then we hear the outcry against slavery. I earnestly hope that we shall hear no more of it after Kansas is admitted. Indeed, if Professor Henry's opinion is entitled to consideration, we must believe that the territory lying west of Kansas, and extending to the Rocky Mountains, is not susceptible of cultivation, and no other state can be organized in that direction which will give us any trouble on this slavery question. I am glad to see you so much interested in this great question, for the present is a time for the exercise of our highest patriotic duties. The country is convulsed throughout its entire borders, and I consider it to be the bounden duty of every democrat, and indeed of every citizen who loves his country and her institutions, to express his sentiments fearlessly on questions like the present. Every citizen has the power to contribute to the support of sound national views, and to promote the cause of good government. And this can best be accomplished by a firm and decided support of great public measures in times of excitement and danger. (Applause.)

Before concluding my remarks, fellow-citizens, I feel it to be my duty to bring to your notice what has been for some time past, and what is still going on in Kansas, and in several of the

southern states respecting this unpleasant controversy. It is a fact, and must be within the knowledge of all who make it a point to read the newspapers of the day, that the leaders and many of the followers of the Topekaites have carried out the instructions which they received from the so-called "Emigrant Aid Society" of Massachusetts and elsewhere, to the very letter. These societies, instead of supplying their settlers with agricultural instruments and in encouraging them to turn their attention to their agricultural and other pursuits peaceably, actually provided them with rifles and munitions of war, of every description, and I have no doubt gave them instructions to carry on a civil war against the slaveholders residing within the limits of that territory. Acts of violence are daily perpetrated by the notorious Lane and his followers upon the peaceable citizens. He and his lawless band have kept the inhabitants in a constant state of alarm; they have threatened to drive from the territory all who in any way advocate or favor the Leecompton constitution.

Gov. Dorr, as I have already stated, was tried and convicted of treason for the support he gave to the suffrage party constitution in Rhode Island, notwithstanding that party had just cause of complaint on account of the right of suffrage being limited to freeholders to the exclusion of all others, and notwithstanding their numerical strength, far exceeded in proportion that of the Topekaites, yet Dorr was sentenced for that offence to the state prison for life, while Lane is not only allowed to go at large, but is now at this very moment engaged in enrolling men to carry out his nefarious threats; and Congress is gravely called upon, in the face of these facts, to reject Kansas as a state, to trample upon the rights of peaceable citizens, and thereby sanction Lane in his blood-thirsty and revolutionary movements. Such, fellow-citizens, is the course, without the slightest coloring, now pursued by these revolutionary spirits in Kansas.

I will now read a resolution adopted in the Legislature of Alabama:

"While the General Assembly will not assume in advance to decide the course to be taken by the

state of Alabama in the event if Kansas should be refused admission into the Union, they nevertheless feel constrained by a high sense of duty in the firm conviction that she will redeem her pledges, and take no step backward to provide the means to determine their course of action: Therefore, be it resolved by the Senate and House of Representatives in general assembly convened, that in the event Kansas should apply at the present or any future session of Congress for admission into the Union as a state, with and under the constitution heretofore framed and adopted by her, and commonly known as the Leecompton constitution, and shall be by Congress refused admission, the Governor of this state is respectfully instructed, by proclamation, to assemble the qualified voters of this state, at the usual places of voting, in their respective counties, to elect delegates to a state Convention, on a day to be by him appointed, within ninety days from the time when he shall receive satisfactory evidence of such action by Congress." There are other States who no doubt sympathise with Alabama on this all absorbing question; the resolution which I have read is calm and dignified, but is clothed in language which will not admit of a double meaning. I would ask, is there a true-hearted or faithful patriot living, willing to jeopard the fraternal feeling which has so long existed between the citizens of the north and the citizens of the south. I will not allow myself to believe that the Union is in danger of a dissolution at this time.

But shall we, fellow-citizens, by our own indiscreet acts, or that of our representatives, hazard this threatened collision. Never! never!

Our Democratic friends in every section of the country hailed with joy the passage of the bill for the admission of Kansas, under the Leecompton constitution in the Senate, and the friends of the measure in that enlightened body have nobly discharged their whole duty to the country; and I must be permitted to hope, that the House of Representatives will be no less patriotic, and that we shall soon hear, through our telegraphic wires, the glad tidings that the bill has finally passed both Houses, and this exciting question happily brought to a satisfactory close; for the memor-

able words of the illustrious Jackson still ring in the ears of every patriot—"The Union, it must and shall be preserved." This sentiment, entertained from Washington to Buchanan, has been happily expressed by our own poet, General Morris, whose name and fame are dear to every American, and particularly dear to us, not less on account of his sound democracy, but because he was the first to name James Buchanan for the lofty honors he has since attained, and he will be the last to leave him :—

What God in his wisdom and mercy designed,  
And armed with his weapons of thunder,  
Not all the earth's despots and factions combined,  
Have the power to conquer or sunder !  
Then the union of lakes—the union of lands—  
The union of states none can sever—  
The union of hearts—the union of hands—  
And the flag of the Union for ever  
And ever !  
The flag of our Union forever !

This speech was well received throughout, and the speaker concluded amid the most tumultuous applause.





LIBRARY OF CONGRESS



0 016 094 447 A